



SEALED

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EX-100-1111
U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

vs.

JONATHAN NAGEL

Defendant.

Case No. 2:21-MJ-00992-VCF

APPLICATION TO SEAL

(Under Seal)

The United States of America, by and through Christopher Chiou, Acting United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, respectfully move this Honorable Court for an Order sealing the Complaint, Probable Cause Affidavit, Arrest Warrant, AO257, this Application, and the Court's Sealing Order, in the above-captioned matter, until such time as this Honorable Court, or another Court of competent jurisdiction, shall order otherwise.

Pursuant to LR IA 10-5, the Government requests that the accompanying Complaint in this case be filed under seal. *See generally*, Fed. R. Crim. P. 6(e)(4) (permitting for the sealing of an indictment); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982) (supporting the sealing of a search warrant when there is reasonable cause to believe that providing immediate notification may have adverse results); *Matter of Sealed Affidavit(s) to Search Warrants*, 600 F.2d

1 1256 (9th Cir. 1979) (same); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975) (same).

2 In this case, such an order would be appropriate because the Complaint and Affidavit relate to
3 an ongoing criminal investigation into violation(s) of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) that
4 is neither public nor known to all of the targets of the investigation and its disclosure may alert
5 the targets to the ongoing investigation and pending arrest warrant. Public disclosure of the
6 information in the Complaint might possibly jeopardize the investigation because Defendant
7 Jonathan Nagel is not yet in custody. Although Nagel is generally aware of the investigation
8 and has spoken with investigators, he is unaware federal charges are being sought against him.
9 If he were to learn of the charges via an unsealed Complaint, he may take evasive measures or
10 destroy potential evidence, or both. Defendant Nagel's knowledge that an arrest warrant has
11 been issued against him may also increase risks to law enforcement in apprehending him.
12 Accordingly, there is reason to believe that disclosure of the information will jeopardize the
13 investigation, including by giving Nagel an opportunity to flee, destroy or tamper with
14 evidence, change patterns of behavior, or notify confederates.

15 DATED this 30th day of November, 2021.

16 Respectfully submitted,

17 CHRISTOPHER CHIOU
18 Acting United States Attorney

19 *Bianca R. Pucci*

20 BIANCA R. PUCCI
21 Assistant United States Attorney
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

2:21-MJ-00992-VCF

UNITED STATES OF AMERICA,

Case No.

Plaintiff,

ORDER TO SEAL

v.

(Under Seal)

JONATHAN NAGEL,

Defendant.

Based on the pending Application of the Government, and good cause appearing therefore, **IT IS HEREBY ORDERED** that the Complaint, the Probable Cause Affidavit, Arrest Warrant, AO257, the Government's Application, and this Court's Sealing Order, in the above-captioned matter shall be sealed until further Order of the Court.

IT IS FURTHER ORDERED THAT the Clerk's Office for the United States District Court for the District of Nevada must release the sealed complaint to the CJA Panel Resource Attorney, who may use the information in the sealed complaint for the sole purpose of securing defense counsel in a timely manner.

IT IS FURTHER ORDERED THAT, on the day of the arrest of the first defendant in this case, the CJA Resource Attorney may provide defense counsel a copy of the sealed complaint.

DATED this 30th day of November, 2021.



HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE